

House Daily Reader

Monday, February 08, 1999

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State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0210

HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE ENGROSSED NO.

HB1039 - 2/5/99

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Game, Fish, and Parks

1 FOR AN ACT ENTITLED, An Act to repeal the licensing of resident and nonresident
2 professional dog trainers and to restrict the training of dogs on wild game birds.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-6-78 be amended to read as follows:

5 41-6-78. ~~The Department of Game, Fish and Parks may issue any resident, as defined by this~~
6 ~~title, a resident professional dog training license. The license permits the licensee to train or~~
7 ~~engage in the business of training hunting or field trial dogs when and where wild game is found.~~
8 ~~For purposes of this section, a professional dog trainer is any person who trains or sells any~~
9 ~~breed of hunting dog for remuneration. The license shall be issued annually. No licensee may be~~
10 ~~allowed to No person may train dogs on wild game birds from April fifteenth to July thirty-first,~~
11 ~~inclusive. The licensee shall comply with rules adopted pursuant to § 41-2-18 by the Game, Fish~~
12 ~~and Parks commission to protect and perpetuate the wild game resources of the state. Such rules~~
13 ~~may limit the number of licenses issued and further restrict professional dog training on public~~
14 ~~lands. Failure to comply with such rules or the provisions of this section shall be cause for~~
15 ~~revocation of license and nonissuance of future licenses.~~ No person may train dogs on wild game

1 birds from April fifteenth to July thirty-first, inclusive. The commission shall promulgate rules
2 pursuant to chapter 1-26 to impose restrictions on the methods, dates, and number of dogs that
3 may be trained on public lands and public rights-of-way. Any person who violates this section
4 is guilty of a Class 2 misdemeanor.

5 Section 2. That § 41-6-79 be repealed.

6 ~~—41-6-79. The department of game, fish and parks may issue any nonresident a nonresident~~
7 ~~professional dog training license. The nonresident professional dog training license entitles the~~
8 ~~licensee to all the privileges and is subject to all the restrictions and penalty provisions as the~~
9 ~~resident professional dog training license provided by § 41-6-78.~~

10 Section 3. That § 41-6-10 be amended to read as follows:

11 41-6-10. Licenses, permits, and stamps issued under this title are classified as follows:

- 12 (1) Disabled hunter permit;
- 13 (2) Export bait dealer license;
- 14 (2A) Fall three-day temporary nonresident waterfowl license;
- 15 (3) Fur dealer's license;
- 16 (4) Hoop net, trap or setline license;
- 17 (5) License for breeding and domesticating animals and birds;
- 18 (6) License to take fur-bearing animals;
- 19 (7) Nonresident big game license;
- 20 (8) Nonresident fishing license;
- 21 (9) Nonresident predator/varmint license;
- 22 (10) ~~Nonresident professional dog training license;~~
- 23 (11) Nonresident retail bait dealer license;
- 24 (12) Nonresident shooting preserve license;
- 25 (13) Nonresident small game license;

- 1 (14) Nonresident and resident migratory bird certification permit;
- 2 (15) Nonresident wholesale bait dealer license;
- 3 (16) Nonresident wild turkey license;
- 4 (17) Nursing facility group fishing license;
- 5 (18) Park user's license;
- 6 (19) Permit for transportation of big game animal;
- 7 (20) Private fish hatchery license;
- 8 (21) Resident big game license;
- 9 (22) Resident elk license;
- 10 (23) Resident fishing license and resident senior fishing license;
- 11 (24) ~~Resident professional dog training license;~~
- 12 (25) Resident retail bait dealer license;
- 13 (26) Resident small game license and resident youth small game license;
- 14 (27) Resident predator/varmint license;
- 15 (28) Resident wholesale bait dealer license;
- 16 (29) Resident wild turkey license;
- 17 (30) Scientific collector's license;
- 18 (31) Special nonresident waterfowl license;
- 19 (32) Special Pine Ridge Indian reservation resident and nonresident big game license;
- 20 (33) Taxidermist's license;
- 21 (33A) Spring five-day snow goose temporary nonresident waterfowl license;
- 22 (34) Temporary fishing and hunting licenses.

23 The rights and privileges of such licensees are set forth in §§ 41-6-12 to 41-6-45.1, inclusive,
24 and in § 41-17-13. The Game, Fish and Parks Commission shall promulgate rules pursuant to
25 chapter 1-26 to set the fees, eligibility, and duration for such licenses.

1 **BILL HISTORY**

2 1/12/99 First read in House and referred to Agriculture and Natural Resources. H.J. 39

3 2/4/99 Scheduled for Committee hearing on this date.

4 2/4/99 Agriculture and Natural Resources Do Pass Amended, Passed, AYES 12, NAYS 0.

5 H.J. 364

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

921C0389

HOUSE EDUCATION COMMITTEE ENGROSSED NO. **HB1067** - 2/5/99

Introduced by: Representatives Brown (Richard), Jaspers, Kooistra, Napoli, Solum, and
Volesky and Senators Everist, Dunn (Rebecca), and Rounds

1 FOR AN ACT ENTITLED, An Act to mandate driver's education, to increase certain fees, and
2 to make a continuous appropriation to provide funding.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 13-33 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any school district operating a secondary school shall offer a course in driver's education.

7 The school district may offer driver's education for academic credit, but is not required to do so.

8 A school district may offer driver's education through a contract with another school district or
9 a third-party provider so that driver's education is available to the school district's secondary

10 students. The school district shall allow any person between fourteen and nineteen years of age

11 to enroll in the driver's education course, whether or not the person is a student in the school

12 district. No person enrolled in driver's education courses may be included in a school district's

13 average daily membership for the purpose of state aid to education, unless that person normally

14 attends school in the school district. The course content of the driver's education course shall

15 comply with rules promulgated pursuant to chapter 1-26 by the Department of Education and

16 Cultural Affairs.

Section 2. That § 32-3-18 be amended to read as follows:

32-3-18. Application for a certificate of title shall be made to the secretary, upon a form prescribed by the secretary, containing a full description of the vehicle with vehicle identification numbers, if any, a statement of applicant's title and all liens and encumbrances thereon, the county in which the vehicle is to be kept, the names and addresses of the holders of all liens, title reservations and encumbrances thereon, and any other information as the secretary shall require. The application shall be accompanied by a fee of ~~five~~ eight dollars. If a certificate of title has previously been issued for the motor vehicle, trailer, or semitrailer in this state, it shall be accompanied by the certificate of title duly assigned, unless provided for in this chapter.

Section 3. That § 32-12-16 be amended to read as follows:

32-12-16. The fee for an original driver's license or a renewal of a license is ~~eight~~ eighteen dollars. The fee for a commercial license is twenty-five dollars if knowledge and skill testing is required and fifteen dollars if no skill testing is required, and five dollars for each endorsement. The fee for a duplicate license, a name change, or an address change is six dollars. The fee shall be credited to the state motor vehicle fund.

Section 4. Notwithstanding § 13-42-4, the Department of Education and Cultural Affairs shall issue a stand-alone teacher's certificate to teach driver's education to any person who has completed eight semester hours of driver's education course work at an accredited postsecondary institution.

Section 5. The Department of Education and Cultural Affairs and the Department of Commerce and Regulation shall form a task force for the purpose of developing the course guidelines for driver's education in secondary schools. The task force shall make a report of its findings and recommendations to the Executive Board of the Legislative Research Council prior to December 1, 1999.

Section 6. That chapter 32-12 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 The Department of Commerce and Regulation may not issue an operator's license to any
3 person under eighteen years of age who has not successfully completed an approved course in
4 driver's education. This section does not apply to instructional or restricted permits.

5 Section 7. The increase in revenue resulting from the fee increases in sections 2 and 3 of this
6 Act shall be deposited into the driver's education reimbursement fund which is hereby created
7 as a separate fund in the state treasury.

8 Section 8. Each school district shall be reimbursed in the amount of one hundred fifty dollars
9 for each student who successfully completes the driver's education course offered by the school
10 district.

11 Section 9. There is hereby continuously appropriated from the driver's education
12 reimbursement fund any money in the fund to the Department of Education and Cultural Affairs
13 for the purpose of reimbursing school districts as provided in section 8 of this Act.

14 Section 10. If the amount of money in the driver's education reimbursement fund is not
15 sufficient to fund the entitlement provided for in section 8 of this Act, then there is hereby
16 appropriated to the driver's education reimbursement fund out of any money in the general fund
17 an amount necessary to fully fund the entitlement provided for in section 8 of this Act.

18 Section 11. The secretary of the Department of Education and Cultural Affairs shall approve
19 vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

20 Section 12. The Department of Education and Cultural Affairs may promulgate rules,
21 pursuant to chapter 1-26, to provide for the reimbursement to school districts as provided in this
22 Act.

23 Section 13. The Department of Commerce and Regulation may promulgate rules to establish
24 criteria for approved driver's education courses.

25 Section 14. Section 1 of this Act is effective August 15, 2000.

1 Section 15. Section 6 of this Act is effective September 1, 2001.

2 Section 16. That chapter 13-33 be amended by adding thereto a NEW SECTION to read as
3 follows:

4 Any person with a physical disability between the ages of fourteen to nineteen years old,
5 inclusive, who is capable of learning to operate a motor vehicle, including a vehicle modified to
6 be operated by a person with a physical disability, may enroll in any driver's education course
7 offered pursuant to section 1 of this Act. The course, if necessary, shall train the student in the
8 use of a vehicle modified for operation by a person with a physical disability and shall have
9 available adequate equipment and personnel to accomplish such training. Any school district that
10 provides training required pursuant to this section that results in costs in excess of the amount
11 provided pursuant to section 8 of this Act shall be reimbursed for the excess costs from the
12 amount set aside pursuant to § 13-37-40 for extraordinary expenses incurred in the provision of
13 special education programs or services.

1 **BILL HISTORY**

2 1/15/99 First read in House and referred to Education. H.J. 67

3 2/4/99 Scheduled for Committee hearing on this date.

4 2/4/99 Education Do Pass Amended, Passed, AYES 9, NAYS 1. H.J. 366

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

336C0393

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB1077** - 2/3/99

Introduced by: Representatives Hunt and Crisp and Senators Everist and Lange

1 FOR AN ACT ENTITLED, An Act to clarify voting eligibility and procedures for certain
2 municipal incorporation elections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 9-3 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In any election for the original incorporation of a municipality around all or a part of the
7 shoreline of a lake, all owners of land as shown by the records of the county register of deeds
8 within the proposed incorporated area, whether residents or not, and all resident voters in the
9 proposed incorporated area, are entitled to vote.

10 Section 2. That chapter 9-3 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 The incorporation voting process after election of the inspectors shall be conducted pursuant
13 to Title 12 and shall include the right to vote by absentee ballot.

14 Section 3. That § 9-3-3 be amended to read as follows:

15 9-3-3. Such persons shall cause an accurate census to be taken of the landowners and the
16 resident population of the territory included in ~~said~~ the map as of a day not more than thirty days

1 previous to the time of presenting such application to the board of county commissioners as
2 hereinafter provided. ~~Such~~ The census shall exhibit the name of every landowner and head of a
3 family residing within ~~such~~ the territory on ~~such~~ that day and the number of persons belonging
4 to every such family and shall also state the names of all persons residing within ~~such~~ the territory
5 at ~~such~~ the time. ~~It~~ The census shall be verified by the affidavit of the person taking the ~~same~~
6 census.

7 Section 4. That § 9-3-5 be amended to read as follows:

8 9-3-5. The application for incorporation shall be by a petition subscribed and verified by the
9 applicants and subscribed by not less than fifteen percent of the landowners and registered voters
10 residing within ~~such~~ the territory, based upon the total number of landowners and registered
11 voters at the last preceding general election. It shall set forth the boundaries and area thereof
12 according to the survey and the landowner and resident population thereof according to the
13 census taken. It shall be presented at the time indicated in the notice of ~~such~~ the application or
14 as soon thereafter as the board of county commissioners can receive and consider the ~~same~~
15 application.

1 **BILL HISTORY**

2 1/19/99 First read in House and referred to Local Government. H.J. 85

3 1/28/99 Scheduled for Committee hearing on this date.

4 2/2/99 Scheduled for Committee hearing on this date.

5 2/2/99 Local Government Do Pass Amended, Passed, AYES 7, NAYS 6. H.J. 314

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

445C0463

HOUSE COMMERCE COMMITTEE ENGROSSED NO. **HB1128** - 2/5/99

Introduced by: Representatives Solum and Broderick and Senators Everist, Duxbury, Madden,
and Munson (David)

1 FOR AN ACT ENTITLED, An Act to authorize the Banking Commission to establish rules
2 regulating bank borrowings.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 51A-4-13 be amended to read as follows:

5 51A-4-13. A bank may borrow money ~~for temporary purposes~~ and ~~may~~ pledge assets as
6 security for terms, and upon conditions, established by the Banking Commission in rules
7 promulgated pursuant to chapter 1-26.

1 **BILL HISTORY**

2 1/22/99 First read in House and referred to Commerce. H.J. 129

3 2/4/99 Scheduled for Committee hearing on this date.

4 2/4/99 Commerce Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 362

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

526C0462

HOUSE COMMERCE COMMITTEE ENGROSSED NO. **HB1142** - 2/5/99

Introduced by: Representatives Broderick, Pummel, and Solum and Senators Munson (David)
and Duxbury

1 FOR AN ACT ENTITLED, An Act to permit an increased proportion of a bank's stock and
2 surplus to be invested in the value of the premises.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 51A-4-9 be amended to read as follows:

5 51A-4-9. Except as provided in §§ 51A-4-10 and 51A-4-31 to 51A-4-41, inclusive, a bank
6 may lease, purchase, hold, and convey in its own name, or through investment in a corporation
7 organized solely to lease such property to it, only the following real property:

8 (1) That which it occupies or intends to occupy for the transaction of its business or
9 which it partly so occupies and partly rents or leases to others;

10 (2) That which is used for accommodation in the transaction of the bank's business,
11 including ~~but not limited to~~, parking, storage and preservation of records, and data
12 processing facilities;

13 (3) That which is used for housing or recreation accommodations for attracting and
14 retaining employees.

15 All such accommodations shall be of a reasonable nature.

16 The book value of a bank's ~~real property, furniture, equipment and fixtures~~ premises may not

1 exceed in the aggregate one hundred ~~fifty~~ percent of the bank's capital stock and surplus;
2 ~~provided that upon formal application and investigation by him.~~ However, the director may
3 authorize a larger investment, upon formal application and after an investigation, if the sound
4 conduct of banking will not ~~thereby~~ be adversely affected by the larger investment. For the
5 purposes of this section, book value includes those amounts which are to be reported as premises
6 and fixed assets according to the instructions for consolidated reports of condition filed with the
7 division.

1 **BILL HISTORY**

2 1/25/99 First read in House and referred to Commerce. H.J. 173

3 2/4/99 Scheduled for Committee hearing on this date.

4 2/4/99 Commerce Do Pass Amended, Passed, AYES 12, NAYS 0. H.J. 363

5 2/4/99 Commerce Place on Consent Calendar.

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

167C0761

HOUSE JUDICIARY COMMITTEE

ENGROSSED NO. **HB1199** - 2/4/99

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Representatives Hunt and Fitzgerald and Senators Halverson and Brown
(Arnold)

1 FOR AN ACT ENTITLED, An Act to restrict the distribution of alcoholic beverages to persons
2 under twenty-one years of age by parents, guardians, or spouses over twenty-one years of
3 age.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 35-9-1 be amended to read as follows:

6 35-9-1. It is a Class 1 misdemeanor to sell or give for use as a beverage any alcoholic
7 beverage to any person under the age of eighteen years ~~unless it is done in the immediate~~
8 ~~presence of a parent or guardian or spouse over twenty-one years of age or by prescription or~~
9 ~~direction of a duly licensed practitioner or nurse of the healing arts for medicinal purposes;~~

10 (1) It is done in the immediate presence of a parent or guardian or spouse over twenty-
11 one years of age while not on the premises of an establishment licensed for the retail
12 sale of alcoholic beverages pursuant to § 35-4-2 or at a special event for which an
13 alcoholic beverage license has been issued pursuant to § 35-4-11.4; or

14 (2) It is done by prescription or direction of a duly licensed practitioner or nurse of the
15 healing arts for medicinal purposes.

1 Section 2. That § 35-9-1.1 be amended to read as follows:

2 35-9-1.1. It is a Class 2 misdemeanor to sell or give for use as a beverage any alcoholic
3 beverage to any person who is eighteen years of age or older but less than twenty-one years of
4 age ~~unless it is done in the immediate presence of a parent or guardian or spouse over~~
5 ~~twenty-one years of age or by prescription or direction of a duly licensed practitioner or nurse~~
6 ~~of the healing arts for medicinal purposes;~~

- 7 (1) It is done in the immediate presence of a parent or guardian or spouse over twenty-
8 one years of age while not on the premises of an establishment licensed for the retail
9 sale of alcoholic beverages pursuant to § 35-4-2 or at a special event for which an
10 alcoholic beverage license has been issued pursuant to § 35-4-11.4; or
11 (2) It is done by prescription or direction of a duly licensed practitioner or nurse of the
12 healing arts for medicinal purposes.

1 **BILL HISTORY**

2 1/27/99 First read in House and referred to committee assignment waived. H.J. 212

3 1/28/99 Referred to Judiciary. H.J. 240

4 2/1/99 Scheduled for Committee hearing on this date.

5 2/1/99 Judiciary Do Pass Amended, Failed, AYES 6, NAYS 6.

6 2/1/99 Judiciary Deferred to another day.

7 2/3/99 Scheduled for Committee hearing on this date.

8 2/3/99 Judiciary Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 341

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

823C0790

HOUSE COMMERCE COMMITTEE ENGROSSED NO. **HB1258 - 2/5/99**

Introduced by: Representatives Peterson, Fischer-Clemens, Jaspers, Koetzle, and Munson
(Donald) and Senators Munson (David), Brown (Arnold), Drake, and Flowers

1 FOR AN ACT ENTITLED, An Act to exempt motor vehicle rental companies from certain
2 insurance regulations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-30 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 The provisions of this chapter do not apply to any individual who, in connection with the
7 rental of a motor vehicle, provides contract options to the standard rental agreement which
8 provide motor vehicle and travel related coverages through authorized insurers for a rental
9 period not to exceed ninety days.

1 **BILL HISTORY**

2 1/29/99 First read in House and referred to Commerce. H.J. 268

3 2/4/99 Scheduled for Committee hearing on this date.

4 2/4/99 Commerce Do Pass Amended, Passed, AYES 12, NAYS 1. H.J. 363

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0325

SENATE HEALTH AND HUMAN SERVICES
COMMITTEE ENGROSSED NO. **SB22** -
1/19/99

Introduced by: The Committee on Health and Human Services at the request of the Department
of Health

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to vital records.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 34-25-15 be amended to read as follows:

4 34-25-15. In cases of legitimation, the department, upon receipt of proof of the marriage of
5 the parents after the birth of the child together with an affidavit of paternity signed by both
6 parents of the child, shall prepare a new certificate of birth in the new name of the legitimated
7 child.

8 Within ten days after the filing of an affidavit of acknowledgment of paternity, signed by both
9 putative parents who are not married, the department shall add the name of the father to the
10 certificate of birth if paternity is not shown on the record. Upon request of the parents, the
11 surname of the child may be changed to that of the father or a combination of mother's and
12 father's surnames, in which case the department shall prepare a new birth certificate. A change
13 in paternity, which is already shown on a birth certificate, may be made only upon receipt of a
14 court order determining paternity.

15 Upon receipt of a court order or affidavits determining the paternity of a child pursuant to

§ 34-25-13.1, the department shall prepare a new certificate of birth. Each applicant for a new birth record shall submit a five dollar fee to the department for the preparation and filing of the record.

Section 2. That § 34-25-36 be amended to read as follows:

34-25-36. A funeral director, embalmer, or other person who removes from the place of death or transports or finally disposes of a dead body or fetus, in addition to filing any certificate or other form required by this chapter, shall keep a record which shall identify the body, and shall on or before the fifth day of each month report to the ~~state department of health~~ all human bodies handled during the preceding month on a form provided for that purpose. If no death occurs in any given month which requires a funeral director to keep a record pursuant to this section, the funeral director shall report that fact on a form provided for that purpose.

Section 3. That § 34-25-43 be amended to read as follows:

34-25-43. The ~~state department of health~~ shall prepare, print, and supply to all registrars, all blanks and forms used in registering, recording, and preserving the reports and returns, or in otherwise carrying out the purposes of this chapter. No blanks or forms ~~shall~~ may be used other than those supplied by the ~~state department of health~~ or exact electronic replicas approved by the department.

Section 4. That § 34-25-46 be amended to read as follows:

34-25-46. The local registrar shall sign, date, and number consecutively the certificates of ~~birth, death, and burial or removal permits filed in his office, and sign thereon his name as registrar, together with the date of filing in his office. He shall make a copy of each birth and death certificate filed by him, in the form prescribed by the state department of health. He~~ at the county office. The local registrar shall transmit weekly to the state department monthly or more frequently when directed to do so, the original certificates of birth and death and shall maintain a copy of all death certificates filed in the county. If no vital event occurred death certificates

- 1 were filed in any ~~month, he~~ week, the local registrar shall report that fact on a form provided for
- 2 that purpose.

1 **BILL HISTORY**

2 1/12/99 First read in Senate and referred to Health and Human Services. S.J. 19

3 1/16/99 Scheduled for Committee hearing on this date.

4 1/16/99 Health and Human Services Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 61

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0289

SENATE APPROPRIATIONS COMMITTEE

ENGROSSED NO. **SB25** - 1/26/99

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the sale, exchange, or demolition of a
2 farmhouse, garage, and corncrib/granary located on the Southeast Agricultural Experiment
3 Station, to replace the dwelling, and to make an appropriation therefor.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. The Board of Regents may sell, exchange, or demolish building CCFH, a multi-
6 story wood frame farmhouse, building CCG, a wood frame garage, and building 5006, a
7 corncrib/granary, all of which are located on the Southeast Agricultural Experiment Station, near
8 Beresford, in Clay County.

9 Section 2. The Board of Regents may contract to replace the dwelling with an appropriate
10 residential structure on the Southeast Agricultural Experiment Station, near Beresford, in Clay
11 County.

12 Section 3. The estimated cost for the actions authorized by this Act is one hundred five
13 thousand dollars (\$105,000). This amount is appropriated from other funds or Board of Regents
14 endowed institution interest and income fund earnings allocated to South Dakota State
15 University to the Board of Regents for the purposes of this Act.

16 Section 4. The Board of Regents may accept, transfer, and expend any funds obtained for

1 these purposes from federal sources, gifts, contributions, or any other source, all of which shall
2 be deemed appropriated to the purposes of this Act.

3 Section 5. The design and construction of the replacement dwelling shall be under the general
4 charge and supervision of the Bureau of Administration as provided in chapter 5-14. The
5 commissioner of the Bureau of Administration and the executive director of the Board of
6 Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures
7 authorized by this Act.

1 **BILL HISTORY**

2 1/12/99 First read in Senate and referred to Appropriations. S.J. 19

3 1/26/99 Scheduled for Committee hearing on this date.

4 1/26/99 Appropriations Do Pass Amended, Passed, AYES 8, NAYS 1. S.J. 188

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0211

SENATE TRANSPORTATION COMMITTEE

ENGROSSED NO. **SB40** - 1/22/99

Introduced by: The Committee on Transportation at the request of the Department of Game,
Fish, and Parks

1 FOR AN ACT ENTITLED, An Act to establish certain prohibitions on use of temporary thirty-
2 day snowmobile and boat license permits and to provide for a penalty thereof.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-6C-10 be amended to read as follows:

5 32-6C-10. If a snowmobile is sold by a licensed dealer, the dealer may provide a temporary
6 thirty-day license permit which is a permit to operate the snowmobile in this state for a period
7 of thirty days after the date of sale or until the time the purchaser receives the regular license
8 decals from the county treasurer, whichever occurs first. No dealer may use the permit upon any
9 snowmobile owned by the dealer or for any purpose other than for snowmobiles sold by the
10 dealer. No person may renew the temporary thirty-day license permit nor change or alter the date
11 or other information thereon. A violation of this section is a Class 1 misdemeanor.

12 Section 2. That § 32-3A-10 be amended to read as follows:

13 32-3A-10. If a new or used boat is sold by a boat manufacturer or boat dealer, the boat
14 manufacturer or boat dealer may provide a temporary tag permit to operate the boat in this state
15 for thirty days after the date of sale of the boat or until the time the purchaser receives the
16 licenses from the county treasurer, whichever occurs first. The temporary boat license tags shall

1 be displayed as required by § 32-3A-5 and rules promulgated, pursuant to chapter 1-26, by the
2 department. No dealer may use the permit upon any boat owned by the dealer or for any purpose
3 other than for boats sold by the manufacturer or dealer. No person may renew the temporary
4 thirty-day license permit nor change or alter the date or other information thereon. A violation
5 of this section is a Class 1 misdemeanor.

1 **BILL HISTORY**

2 1/12/99 First read in Senate and referred to Transportation. S.J. 22

3 1/19/99 Scheduled for Committee hearing on this date.

4 1/21/99 Scheduled for Committee hearing on this date.

5 1/21/99 Transportation Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 141

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

763C0345

HOUSE JUDICIARY COMMITTEE ENGROSSED NO. **SB94** - 2/4/99

Introduced by: Senators Daugaard, Brosz, Brown (Arnold), Madden, Olson, and Shoener and Representatives Michels, Broderick, Davis, Diedrich (Larry), Duniphan, Fiegen, Fischer-Clemens, Fitzgerald, Hennies, McCoy, McIntyre, Peterson, Sebert, and Solum

1 FOR AN ACT ENTITLED, An Act to allow certain law enforcement officers or the Department
2 of Social Services to take photographs, videotapes, or electronic images of a child if abuse
3 or neglect is suspected.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 26-8A-16 be amended to read as follows:

6 26-8A-16. Any person ~~receiving~~ who receives a report under § 26-8A-3 may ~~require that~~
7 take or cause to be taken color photographs ~~be taken~~, videotapes, or other images of the areas
8 of trauma visible on a child who is the subject of the report and may require a radiological or
9 other medical examination or testing of the child without the consent of the child's parents,
10 guardian, or custodian. All photographs, videotapes, or other images taken pursuant to this
11 section shall be taken by a law enforcement official or by official, the Department of Social
12 Services, or a person authorized by a law enforcement official or the department. All
13 photographs, videotapes, other images, X rays, and test results, or copies of them, shall be sent
14 to the appropriate law enforcement agency or state's attorney or to the Department of Social
15 Services. These photographs, videotapes, and other images need not be made a part of the

1 child's medical or hospital records. Any photograph, videotapes, or other image in the possession
2 of the Department of Social Services shall be destroyed by the Department of Social Services
3 if no criminal prosecution or civil action is initiated within three years of the date that such
4 material was received by the Department of Social Services.

1 **BILL HISTORY**

2 1/22/99 First read in Senate and referred to Judiciary. S.J. 159

3 1/25/99 Scheduled for Committee hearing on this date.

4 1/25/99 Judiciary Do Pass, Passed, AYES 7, NAYS 0. S.J. 173

5 1/26/99 Senate Do Pass, Passed, AYES 31, NAYS 3. S.J. 200

6 1/27/99 First read in House and referred to Judiciary. H.J. 227

7 2/3/99 Scheduled for Committee hearing on this date.

8 2/3/99 Judiciary Do Pass Amended, Passed, AYES 12, NAYS 0. H.J. 343